

Serial No. 10/801,273

Supplemental Amendment

UTILITY PATENT

B&D No. JK01488A

REMARKS

Applicants have amended Claims 1. Currently in the above-identified application therefore are Claims 1-7 and 34-35.

The Examiner rejected Claims 1, 4 and 6-7 under 35 USC § 103(a) as being unpatentable over US Patent No. 5,357,834 ("Ito") in view of US Patent No. 5,850,698 ("Hurn"). The Examiner also rejected Claims 2-3 and 34-36 under 35 USC § 103(a) as being unpatentable over Ito in view of Hurn, and further in view of US Patent No. 3,611,859 ("Avakian") or US Patent No. 2,925,104 ("Allemanann"). In addition, the Examiner rejected Claim 5 under 35 USC § 103(a) as being unpatentable over Ito and Hurn, and further in view of US Patent No. 6,615,701 ("Hollinger"). Reconsideration and withdrawal of these rejections are respectfully requested.

Applicants note that Ito, Hurn, Avakian and Hollinger, whether individually or in combination, do not show a portion of the gear housing directly underneath the motor shaft and being higher than the arbor. Instead, Ito and Hurn, for example, show the portion of the gear housing directly underneath the motor shaft being lower than the arbor.¹

The Examiner has also pointed at retainer 35 of Ito as the claimed motor housing portion. However, such retainer 35 is not exposed, as it is covered by blade 36, etc.

By contradistinction, Claim 1 calls for a "gear housing having an exposed portion being directly below the motor shaft; ... the exposed gear housing portion [being] higher than the

¹ The Examiner contends that "Ito shows a portion of the housing (to the right of 39a in Figure 3) that is higher than the arbor and directly below the motor shaft." Applicants note that the Ito motor shaft includes gear 42a. Accordingly, the gear portion directly below gear 42a is above

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arbor." Because the cited references do not show, teach or suggest such arrangement, they cannot render unpatentable Claim 1 and its dependent claims.

In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 1-7 and 34-35 are respectfully requested.

No fee is believed due. The Commissioner is authorized to charge payment of any fees due in processing this response, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,


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reference numeral 33. This portion is lower than the arbor 33, as opposed to higher than arbor 33, as called for in Claim 1.